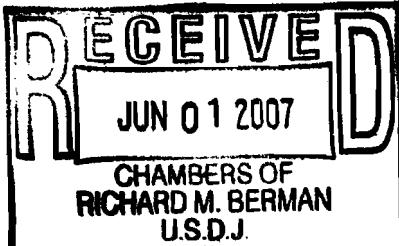




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL A. CARDOZO
Corporation Counsel



VIA HAND DELIVERY

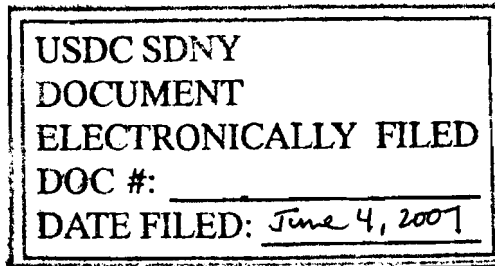
Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

p.2

BASIL C. SITARAS
Assistant Corporation Counsel
Tel.: (212) 788-0422
Fax: (212) 788-9776

June 1, 2007



Re: Mark Kapiti v. Raymond W. Kelly, et al., 07 Civ. 3782 (RMB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and attorney for defendants City of New York, Raymond W. Kelly, and the Property Clerk of the New York City Police Department. I am writing with the consent of plaintiffs' counsel, Steven L. Kessler, Esq. to respectfully request a sixty (60) day enlargement of time from June 4, 2007 until August 3, 2007, within which the defendants may answer or otherwise respond to the complaint. Accordingly, the parties also respectfully request an adjournment of the Initial Conference presently scheduled for June 22, 2007 at 11:00 a.m. until a date after which the defendants file their answer or otherwise respond to the complaint. Moreover, both Mr. Kessler and I will be out-of-town on June 22, 2007. This is the defendants' first request for an enlargement of time and for an adjournment of the Initial Conference in this action.

The complaint alleges, *inter alia*, that plaintiff was deprived of his motor vehicle by defendants in violation of his Fourth and Fourteenth Amendment rights. In addition to the City of New York, the complaint also purports to name Police Commissioner Kelly and the Property Clerk of the New York City Police Department as defendants. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. The enlargement of time will afford us the opportunity to do so.

In view of the foregoing, it is respectfully requested that the Court grant the within requests extending the defendants' time to answer the complaint until August 3, 2007, and for a corresponding adjournment of the Initial Conference presently scheduled for June 22, 2007.


Thank you for your consideration in this regard.

Respectfully submitted,



Basil C. Sitaras (BS-1027)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: VIA FACSIMILE
Steven L. Kessler, Esq.
Attorney for Plaintiff
Fax: (212) 297-0777

<u>EXTENSION GRANTED. RULE 16</u>	
<u>CONFERENCE IS ADJOURNED UNTIL</u>	
<u>AUGUST 8, 2007 AT 9:00 A.M.</u>	
<u> </u>	
<u> </u>	
<u> </u>	
SO ORDERED:	
Date: <u>6/1/07</u>	
Richard M. Berman, U.S.D.J.	